

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN**

In re:

Delmy Orellana-Hernandez  
Debtor

Case Number 17-03116  
Chapter 13  
Hon. John T. Gregg  
Filed: June 27, 2017

**SECOND AMENDED CHAPTER 13 PLAN PRE-CONFIRMATION**

**PREAMBLE**

**To Debtors:** Plans that do not comply with local rules and judicial rulings may not be confirmable.

*In the following notice to creditors, you must check each box that applies.*

**To Creditors:** Your rights may be affected by this Plan. Your claim may be reduced, modified, or eliminated.

You should read this Plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you oppose the Plan's treatment of your claim or any provision of this Plan, you or your attorney must file an objection to confirmation at least 7 days before the date set for the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this Plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, you may need to file a timely proof of claim in order to be paid under any Plan.

The following matters may be of particular importance. *Debtors must check one box on each line to state whether or not the Plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked, the provision will be ineffective if set out later in the Plan.*

A limit on the amount of a secured claim, set out in Paragraph III.C.2.c and III.C.1.f., which may result in a partial payment or no payment at all to the secured creditor	<input type="checkbox"/> Included	x Not included
Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Paragraph IV.R.	<input type="checkbox"/> Included	x Not included
Nonstandard provisions, set out in Paragraph IV.R.	X Included	Not included

**I. PLAN PARAMETERS****A. APPLICABLE COMMITMENT PERIOD (ACP) - 11 U.S.C. § 1325(b)(4).**

☐ The ACP is 60 months.

☒ (x) The ACP is 36 months. However, the duration of payments may be extended to complete the Plan.

**B. LIQUIDATION ANALYSIS.**

- The amount to be distributed to holders of allowed unsecured claims shall not be less than the value of the non-exempt equity of the Debtor(s) less the costs of sale. The liquidation value of the estate as required by 11 U.S.C. § 1325(a)(4) is \$9,539.00
- The estimated base amount to be paid to the general unsecured creditors is \$9,539.00

**II. FUNDING**

**A. PLAN PAYMENT.** The Debtor(s) shall make payments in the amount of \$384.00 per ☐ week, ☒ (x) bi-weekly, ☐ semi-monthly, ☐ monthly, and/or ☐ other (see Additional Plan Payment Provisions) for the minimum of the ACP.

☐ Additional Plan Payment Provisions:

**E. UNSECURED CREDITORS.**

**General Unsecured Creditors:** Claims in this class are paid from funds available after payment to all other classes. The allowed claims of general unsecured creditors will be satisfied by:

☐ Payment of a dividend of 100%, plus present value of \_\_\_\_\_% interest, if necessary to satisfy

11 U.S.C. § 1325(a)(4), OR

☒ Payment of a pro-rata share of a fixed amount of \$9,539.00 or payment from all disposable income to be received by the Debtor(s) in the ACP, whichever pays more. This fixed amount shall be reduced by additional administrative expenses including attorney fees approved under 11 U.S.C. § 330(a). However, this fixed amount shall not be reduced below the liquidation value specified in paragraph I.B.

**R. NONSTANDARD PROVISIONS.**

Nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in this Model Plan or deviating from it. Nonstandard provisions set out elsewhere in this Plan are ineffective and void. The following Plan provisions will be effective only if there is a check in the box "Included" in the Preamble.

Debtor will retain \$900.00 a year from her income tax return for home maintenance.

Provision IV.R. included in Debtor's First Amended Chapter 13 Plan Pre-Confirmation stating "Trustee will pay the arrearage on the Vehicle loan in the amount of \$369.95 as a secured claim," is hereby stricken.

BY FILING THIS DOCUMENT, THE ATTORNEY FOR THE DEBTOR(S) OR DEBTOR(S) THEMSELVES, IF NOT REPRESENTED BY AN ATTORNEY, ALSO CERTIFY(IES) THAT THE WORDING AND ORDER OF THE PROVISIONS IN THIS CHAPTER 13 PLAN ARE IDENTICAL TO THOSE CONTAINED IN THE APPROVED MODEL PLAN PURSUANT TO LOCAL BANKRUPTCY RULE 3015(d) FOR THE WESTERN DISTRICT OF MICHIGAN BANKRUPTCY COURT, OTHER THAN ANY NONSTANDARD PROVISIONS INCLUDED IN PARAGRAPH IV.

Date: 10/11/17

  
Delmy Orellena-Hernandez, Debtor

Date: 10/11/17

  
Ralph M. Reisinger, Counsel for the Debtor

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

In Re: Delmy Ruth Orellana-Hernandez

Debtor

Case Number: 17-03116

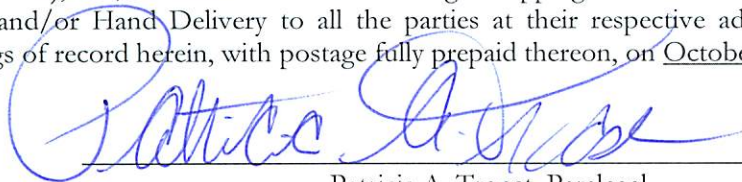
Chapter 13

Judge: John T. Gregg

Filed: June 27, 2017

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the **Debtor's Second Pre-Confirmation Amended Chapter 13 Plan** was served upon the Debtors, US Trustee's Office and all of the required parties of record and/or listed on Debtor's Creditor Matrix to the above cause by either: Electronic Case Filing via the Court's Electronic Document Filing System, and/or United States First Class Mail, and/or Electronic Mail (E-Mail), and/or Facsimile and/or Overnight shipping with United States Overnight Mail and/or FedEx and/or Hand Delivery to all the parties at their respective addresses as disclosed by the pleadings of record herein, with postage fully prepaid thereon, on October 11, 2017.



Patricia A. Troost, Paralegal  
4081 Cascade Road, Suite 600  
Grand Rapids, Michigan 49546  
616.323.3146 – Office  
877.647.8276 – Facsimile  
[secretary@reisingerlaw.com](mailto:secretary@reisingerlaw.com)

Label Matrix for local noticing  
0646-1  
Case 17-03116-jtg  
Western District of Michigan  
Grand Rapids  
Wed Oct 11 15:22:04 EDT 2017  
  
Western District of Michigan  
One Division Ave., N.  
Room 200  
Grand Rapids, MI 49503-3132

Rivertown Community Federal Credit Union  
P.O. Box 249  
Grandville, MI 49468-0249

Synchrony Bank  
c/o PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

ACI  
2420 Sweet Home Rd Ste 150  
Buffalo NY 14228-2244

AFNI  
P.O. Box 3427  
Bloomington IL 61702-3427

Account Receivables So  
301 N Clinton Ave  
Saint Johns MI 48879-1505

Accounts Receivable Solutions  
P.O. Box 184  
Saint Johns MI 48879-0184

Allied Interstate  
7525 West Campus Road  
New Albany OH 43054-1121

(p)AMERICOLLECT INC  
PO BOX 2080  
MANITOWOC WI 54221-2080

Americollect Inc  
P.O. Box 1566  
Manitowoc WI 54221-1566

Asset Acceptance LLC  
P.O. Box 1630  
Warren MI 48090-1630

CACH LLC  
6300 S. Syracuse Way #300  
Centennial CO 80111-6723

CBCS  
P.O. Box 2334  
Columbus OH 43216-2334

Capital Accounts  
P.O. Box 140065  
Nashville TN 37214-0065

Certified Emergency Medicine S  
P.O. Box 2184  
Grand Rapids MI 49501-2184

Certified Emergency Medicine S  
P.O. Box 30516  
Lansing MI 48909-8016

Chase Receivables  
1247 Broadway  
Sonoma CA 95476-7503

Cleveland County HealthCare  
P.O. Box 96072  
Charlotte NC 28296-0072

Coasttocoast  
101 Hodencamp Rd  
Thousand Oaks CA 91360-5836

Columbia St Marys  
P.O. Box 78101  
Milwaukee WI 53278-0101

(p)CREDIT ACCEPTANCE CORPORATION  
25505 WEST 12 MILE ROAD  
SOUTHFIELD MI 48034-8316

Credit Collection Services  
725 Canton Street  
Norwood MA 02062-2679

Credit Collection Services  
Two Wells Ave  
Newton Center MA 02459-3246

BOS CCA  
P.O. Box 329  
Norwell MA 02061-0329

BOS CCA  
P.O. Box 981008  
Boston MA 02298-1008

(p)US BANK  
PO BOX 5229  
CINCINNATI OH 45201-5229

FMS Inc  
P.O. Box 707600  
Tulsa OK 74170-7600

Great Lakes Jaw Surgery P.C.  
2017 Eastcastle SE  
Grand Rapids MI 49508-8872

Helvey & Associates Inc  
1015 E Center Street  
Warsaw IN 46580-3420

Kent County Prosecuting Atty  
P.O. Box 6507  
Grand Rapids MI 49516-6507

Metro Health Hospital  
P.O. Box 917  
Wyoming MI 49509-0917

Money Recovery Nationw  
8155 Executive Ct Ste 10  
Lansing MI 48917-7774

National Enterprise System  
29125 Solon Road  
Solon OH 44139-3442

Nationwide Cassel LLC  
10255 W. Higgins Road  
Suite 300  
Rosemont, IL 60018-5620

Nationwide Cassels Inc  
3435 N. Cicero Ave  
Chicago IL 60641-3782

Nationwide Credit Inc  
4700 Vestal Parkway E  
Vestal NY 13850-3770

PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

Pinnacle Llc/resurgent  
Po Box 10497  
Greenville SC 29603-0497

Portfolio Recovery Associates L  
P.O. Box 12903  
Norfolk VA 23541-0903

Portfolio Recovery Ass  
120 Corporate Blvd Ste 1  
Norfolk VA 23502-4952

Professionesional Recovery Serv  
P.O. Box 1880  
Voorhees NJ 08043-7880

RJM Acquisitions LLC  
575 Underhill Blvd  
Syosset NY 11791-3416

Rivertown Community Federal  
Credit Union  
c/o Charles J. Hiemstra  
125 Ottawa NW, Suite 310  
Grand Rapids, MI 49503-2873

Shelby Emergency Assocites  
P.O. Box 550868  
Jacksonville FL 32255-0868

Stellar Recovery, Inc  
P.O. Box 48370  
Jacksonville FL 32247-8370

Td Bank Usa/targetcred  
Po Box 673  
Minneapolis MN 55440-0673

The Huntington National Bank  
PO Box 89424  
Cleveland, OH 44101-6424

Tiburon Financial LLC  
11510 Blondo St.  
Suite 200  
Omaha NE 68164-3846

Weber & Olcese  
3250 West Big Beaver Road  
Troy MI 48084-2902

Wright & Filippis Inc  
1311 Reliable Parkway  
Chicago IL 60686-0013

Brett N. Rodgers  
99 Monroe Ave NW, Ste 601  
Grand Rapids, MI 49503-2654

Delmy Ruth Orellana-Hernandez  
323 Walter Street SE  
Grand Rapids, MI 49548-3245

Ralph M. Reisinger  
Reisinger Law Firm PLLC  
4081 Cascade Road SE  
Suite 600  
Grand Rapids, MI 49546-2170

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Americollect Inc  
1851 S Alverno Road  
Manitowoc WI 54221

Credit Acceptance  
25505 West Twelve Mile Road  
Southfield MI 48034-8339

Elan Financial Service  
Po Box 108  
Saint Louis MO 63166

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Capital Accounts	End of Label Matrix	
Po Box 140065	Mailable recipients	53
Nashville TN 37214-0065	Bypassed recipients	1
	Total	54